

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EBONI D. LUCAS, et al.,

Plaintiff(s),

v.

MGM RESORTS INTERNATIONAL, et al.,

Defendant(s).

Case No. 2:20-cv-01750-JAD-NJK

ORDER (Docket No. 136)

ORDER TO SHOW CAUSE

Pending before the Court is non-party Empower Retirement's motion to redact. Docket No. 136. For good cause shown, *see Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006), Empower Retirement's motion to redact is **GRANTED**.

While the Court is granting Empower Retirement's motion to redact, that does not appear to account for the universe of party and non-party information that has been claimed to be highly sensitive. *See* Docket No. 132.¹ The Court hereby **ORDERS** the parties and any interested non-parties to show cause in writing, no later than April 17, 2023, why the motion at Docket No. 117 and its exhibits should not be viewable to the public except for the redactions permitted above for Empower Retirement.² Defendants must provide a copy of this order to any interested non-parties, along with the underlying documents in a form that will enable each interested non-party to determine what relief (if any) should be sought with respect to its own information. Any sealing

¹ Despite multiple opportunities, Defendants have failed to comply with the procedural and substantive requirements for obtaining permission to keep judicial records secret from the public. *See* Docket Nos. 129, 135. While such shortcomings justify the public disclosure of Defendants' own information, *see, e.g.*, Docket No. 135 at 2, the Court is concerned that there is additional non-party information that may be subject to secrecy upon a proper showing. This additional opportunity is being provided primarily as a means to safeguard the potentially sensitive information of non-parties.

² It appears the motion itself at Docket No. 117 may be unsealed. *See* Docket No. 132 at 2.

1 or redaction request made in response to this order to show cause must include a proper legal and
2 factual foundation. *See, e.g.*, Docket No. 135 at 1-2.

3 IT IS SO ORDERED.

4 Dated: April 3, 2023

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Nancy J. Koppe
United States Magistrate Judge
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